

Exhibit M

Declaration of Alfredo Bernal

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

PRISON LEGAL NEWS, a non-profit
Washington corporation

Plaintiff

v.

GARY LINDSEY, individually and
in his official capacity as the Chief Deputy,
Office of Detentions for Dallas County,
EDGAR McMILLAN, individually,
UNKNOWN DALLAS COUNTY JAIL
GUARDS, individually and in their official
capacities, SHERIFF LUPE VALDEZ,
individually and in her official capacity as
the Sheriff of Dallas County, and DALLAS
COUNTY

Defendants.

CIVIL ACTION NO.
3:07-CV-0367-P

STATE OF TEXAS

COUNTY OF DALLAS

DECLARATION OF ALFREDO BERNAL

1. "My name is Alfredo Bernal. I am currently incarcerated in the Dallas County Jail.
2. I arrived in the Dallas County Jail on May 31, 2007. I am here on a bench warrant related to my criminal conviction. I do not know how much longer I will be in the Dallas County Jail, but I expect it will be awhile.
3. I have subscribed to *Prison Legal News* since March 2007, when I was in the Texas Department of Criminal Justice's Stevenson Unit in Cuero, Texas. I had no problem receiving my copies of *Prison Legal News* before I came to Dallas County.
4. As soon as I arrived in the Dallas County Jail, I wrote a letter to Prison Legal News to tell


Initial

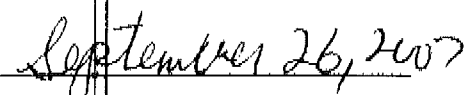
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them my address had changed. I asked them to mail my issues to the Dallas County Jail.

5. When I got here, other inmates told me you could not have magazines like *Prison Legal News* in the jail. I wrote a note to the jail to ask if this was true. I got a response from Officer Pettway. Officer Pettway told me inmates could not receive copies of *Prison Legal News* or any other magazines unless they were housed in single cells. I am not in a single cell, so I was not allowed to have *Prison Legal News*.
6. After getting the response from Officer Pettway, I wrote a grievance complaining my First Amendment rights were being violated because I was denied my copy of *Prison Legal News*. I wrote the first grievance around June 10, 2007. The jail did not respond to my grievance, so I wrote another one. The jail did not respond to the second grievance either, so I assumed the grievance was denied and appealed the denial of the grievance. During the time I spent writing the grievances, I was not allowed to have a copy of *Prison Legal News*.
7. I received a response to the appeal around the first week of September 2007. The response said I was allowed to have copies of *Prison Legal News*, but even though I asked Prison Legal News to send me another copy of the September 2007 issue, I still have not received it.
8. I, Alfredo Bernal, under the pains and penalties of perjury under the laws of the United States of America, swear I am capable of making this affidavit and that the foregoing statement is true and correct to the best of my knowledge."


Alfredo Bernal


Date

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